

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:03-00118

DARRELL SHAWTON COLLINS

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER  
MEMORANDUM OPINION AND ORDER

On April 30, 2014, the United States of America appeared by Jennifer L. Rada, Assistant United States Attorney, and the defendant, Darrell Shawton Collins, appeared in person and by his counsel, David R. Bungard, Assistant Federal Public Defender, for a hearing on the petition on supervised release and amendment thereto submitted by United States Probation Officer Troy A. Lanham. The defendant commenced a five-year term of supervised release in this action on August 15, 2012, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on June 3, 2004.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed the federal crime of distribution of heroin as evidenced by his guilty plea in this court on April 30, 2014, and the factual basis given in connection therewith, to Count Two of the three-count indictment filed on March 4, 2014, in Case No. 2:14-00049 charging a violation of 21 U.S.C. § 841(a)(1); (2) the defendant used and possessed cocaine as evidenced by a positive urine specimen submitted by him on January 16, 2014, and his admission to the probation officer that he possessed and used cocaine; and (3) the defendant committed the state and local offense of domestic battery for which he was charged in a criminal complaint filed on January 12, 2014, in Kanawha County Magistrate Court, as evidenced by his admission on the record of the hearing that the government possesses sufficient proof to prove the offense by a preponderance of the evidence; all as set forth in the petition on supervised release and amendment thereto.

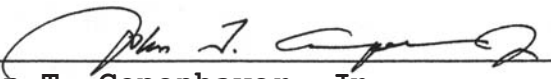
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

It is ORDERED that sentencing be continued so that it may be held at the same time as sentencing in Criminal No. 2:14-00049 and is accordingly scheduled for 1:30 p.m. on August 14, 2014.

The defendant was remanded to the custody of the United States Marshal pending sentencing.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 30, 2014

  
John T. Copenhaver, Jr.  
United States District Judge